

REMARKS

By this amendment, claims 68 and 89-90 have been amended. Claims 68-91 are pending in the application. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

The abstracts of the non-patent literature documents corresponding to citation letters I, J, and K of the IDS filed January 28, 2004, are resubmitted herewith, as suggested by the Examiner in a conversation on September 7, 2005. The references should, therefore, be considered by the Examiner.

Claims 68-89 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 70 has been amended to incorporate the limitations of claim 68 and to comply with the rejection. Claim 89 has been amended to comply with the rejection. Applicant respectfully requests that the rejection of these claims be withdrawn and the claims allowed.

Claims 68-69 and 90-91 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Mandelman et al. (US 6,097,070). This rejection is respectfully traversed.

Claims 68 and 90 recite, *inter alia*, "forming source and drain regions in said substrate ..., wherein said first gate dielectric, first type conductive gate region, second gate dielectric, and second type conductive gate region are wholly between said source and drain regions." (Emphasis added.) Mandelman et al. does not teach or suggest this limitation. Mandelman et al. at least does not disclose "a transistor gate over said substrate and wholly between said spaced doped source/drain regions." Mandelman et al. discloses just the opposite, that "outer gate conductors are above a portion of the source and drain regions." See column 1, lines 61-62; column 3, lines 7 and 14; and FIG.

2. This overlap shortens the channel (20) length of the Mandelman et al. transistor and would not serve to mitigate short channel effects. Since Mandelman et al. does not disclose all the limitations of claims 68 and 90, claims 68 and 90 are not anticipated by Mandelman et al. Claim 69 depends from claim 68 and is patentable at least for the reasons mentioned above. Claim 91 depends from claim 90 and is patentable at least for the reasons mentioned above. Applicants respectfully request that the 35 U.S.C. § 102(e) rejection of claims 68-69 and 90-91 be withdrawn.

Claims 70-88 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Claims 70-88 depend, respectively, directly, or indirectly from independent claim 68, and are allowable for at least the reasons set forth above.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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